

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LEON DALE VESSELL, #2022742

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:22cv1010

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Christine A. Nowak, who issued a Report and Recommendation concluding that the petition for writ of habeas corpus should be dismissed without prejudice for failure to prosecute due to Petitioner's failure to comply with the Court's Order to address the timeliness of his petition. Petitioner filed objections.

In the objections, Petitioner does not address the findings and conclusions of the Magistrate Judge or the timeliness of his petition. Instead, Petitioner's objections focus on the merits of his habeas claims and the validity of his conviction and sentence. In sum, Petitioner's objections are not responsive to the Magistrate Judge's recommendation that the petition for writ of habeas corpus should be dismissed without prejudice for failure to prosecute due to Petitioner's failure to comply with the Court's Order to address the timeliness of his petition. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is accordingly **ORDERED** the petition for a writ of habeas corpus is **DISMISSED** without prejudice.

It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

SIGNED this 18th day of July, 2023.

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE